

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

v.

ALFREDO GONZALEZ
KELVIN VASQUEZ
JUVENTINO CORIA-PEREZ
LEUGIM COSTA-CRUZ
JOSE NABOR HERNANDEZ

CRIMINAL COMPLAINT

Criminal No.:

MJ 10-541 AHB

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. From in or about March 2010 through on or about December 9, 2010, in the State and District of Minnesota the defendants

conspired with each other to distribute 50 grams or more of methamphetamine (actual), a controlled substance,

in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

I further state that I am a Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

Date

December 10, 2010
The Honorable Arthur J. Boylan
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer

at

Sean Harris
Signature of Complainant
Sean Harris
Special Agent, DEA

St. Paul, MN
City and State

Signature of Judicial Officer

SCANNED

DEC 10 2010

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA)
) ss. AFFIDAVIT OF SPECIAL AGENT SEAN HARRIS
COUNTY OF RAMSEY)

1. I am a Special Agent (SA) of the Drug Enforcement Administration (DEA) and have been so employed since 2008. In this capacity, I am responsible for the enforcement of the laws of the United States of America, including laws relating to drug enforcement, drug trafficking, and related crimes. During my law enforcement career, I have conducted numerous investigations into the unlawful possession of controlled substances, narcotics trafficking, and associated conspiracies. Prior to my employment with the DEA, I was a Police Officer with the United States Capitol Police since 2002.

2. This Affidavit is submitted in support of a Complaint against Alfredo Gonzalez ("Gonzalez"), Kelvin Vasquez ("Vasquez"), Juventino Coria-Perez ("Coria-Perez"), Leugim Costa-Cruz ("Costa-Cruz"), and Jose Nabor Hernandez ("Hernandez"), charging them with conspiracy to distribute methamphetamine, in violation of Title 21, United States Code 846.

3. In March of 2010, law enforcement officers began making a series of controlled purchases of methamphetamine from Gonzalez and his associates. These buys were made utilizing a Confidential Reliable Informant (CRI). From March until October of 2010, law enforcement conducted six controlled purchases from Gonzalez, Costa-Cruz, and Vasquez, totaling approximately seven ounces of methamphetamine. The CRI always placed the drug order with

Gonzales, and Gonzales personally delivered the drugs on four occasions. Leugim Costa-Cruz accompanied Gonzales on two of those deliveries. Kelvin Vasquez delivered the drugs on Gonzales' behalf on one occasion. The purity of the methamphetamine averaged above 90%.

4. On December 8, 2010, the St. Paul Police Department Narcotics Unit developed information that Jose Nabor Hernandez was selling multiple ounce quantities of methamphetamine. Utilizing an Undercover Officer (UC), an eight-ounce buy from Hernandez was set up in St. Paul, Minnesota. Law enforcement observed Hernandez leave his residence in Vadnais Heights, MN, and drive to Minneapolis, MN, before meeting with the UC officer. Hernandez was driving a red Geo Prism, with Minnesota License plate 385-AXU. Hernandez told the UC Officer that he would not be able to get the methamphetamine until the next day.

5. On December 9, 2010, the UC Officer spoke with Hernandez and scheduled the eight ounce methamphetamine buy for later that same day. Law enforcement observed Hernandez leave his residence in Vadnais Heights, driving a red Geo Prism, with Minnesota License plate 385-AXU. When Hernandez met with the UC officer, he stated that he was unable to produce the eight ounces of methamphetamine at that time.

6. Later that same evening, the UC officer received an incoming call from Hernandez stating that he could now sell the UC

eight ounces of methamphetamine. The UC Officer and Hernandez agreed to meet in the area of Farrington and Atwater St, in St. Paul, MN.

7. At the meet location, surveillance observed the arrival of the red Geo Prism bearing MN License plate 385-AXU being driven by Hernandez. In addition, surveillance units observed a blue Ford F-150, bearing MN license plate 093-BJR arrive with the Geo Prism and begin conducting counter surveillance, including circling the parking lot. A short time later, the occupants of the blue Ford F-150 were seen meeting with occupants of a red Nissan Titan.

8. Hernandez then met with the UC and asked if the money was there. A predetermined bust signal was given and Hernandez was taken into custody. Law enforcement then focused on detaining the occupants of the Ford F-150 and the Nissan Titan. Officers wearing clothing with "Police" insignia and identifying themselves as police officers approached the Ford F-150 instructing the occupants to "put their hands up". The driver of the Ford F-150, later identified as Juventino Coria-Perez, put the truck into gear and began to drive forward. The Ford F-150 struck a St. Paul Police Department Yukon displaying emergency lights, pushing the Yukon out of its path. The Ford F-150 then veered towards St. Paul Police Commander Tim Flynn who had exited the Yukon and came within three feet of striking him. The Ford F-150 then fled the parking lot.

9. While the Ford F-150 was fleeing the parking lot, Task Force Officer (TFO) Meyer observed the passenger, later identified as Leugim Costa-Cruz, throw a bag out of the passenger side window. TFO Meyer recovered the bag and discovered it contained approximately eight ounces of a substance that has since field tested positive to be methamphetamine.

10. At the same time, three Hispanic males exited the Red Nissan Titan and began running. Commander Flynn took the driver, Alfredo Gonzalez, into custody. Task Force Officer Tegdesch took the front passenger, Kelvin Vasquez, into custody. The third suspect fled through a residential neighborhood and got away.

11. Law enforcement pursued the Ford F-150 driven by Coria-Perez for approximately ten minutes. During this time, the Ford F-150 hit three different vehicles. Law enforcement observed passenger Costa-Cruz throw two hand guns out of the window during the pursuit., which were later recovered. The Ford F-150 then collided with a fire hydrant and Coria-Perez and Costa-Cruz both fled on foot. A St. Paul Police Department K-9 was deployed and subdued Coria-Perez. Costa-Cruz was later located and taken into custody.

12. At the Ramsey County Jail, all of the defendants were interviewed by law enforcement. Costa-Cruz was read his Miranda Warning and stated he understood and wanted to speak with law enforcement. Costa-Cruz stated that he and his uncle, Coria-Perez,

both were carrying pistols and after the chase started, Coria-Perez told him to throw the firearms and the drugs out of the Ford F-150.

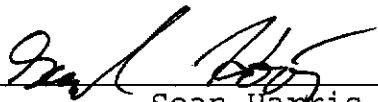
13. Hernandez was read his Miranda Warning and stated he understood and wanted to speak with law enforcement. Hernandez admitted he was at the arrest scene to do a drug deal and stated that the narcotics belong to "Pelon," whom Hernandez identified as Gonzalez.

14. Gonzalez was read his Miranda Warning and stated he understood and wanted to speak with law enforcement. Gonzalez admitted he facilitated the narcotics deal, but claimed the drugs were not his. Gonzalez stated that he was supposed to get paid \$500 for his help. Gonzalez stated that the deal was supposed to be eight ounces of methamphetamine for \$10,000. Gonzalez was asked how long he had been dealing narcotics. He stated for approximately three months and the largest amount he has sold has been one (1) pound.

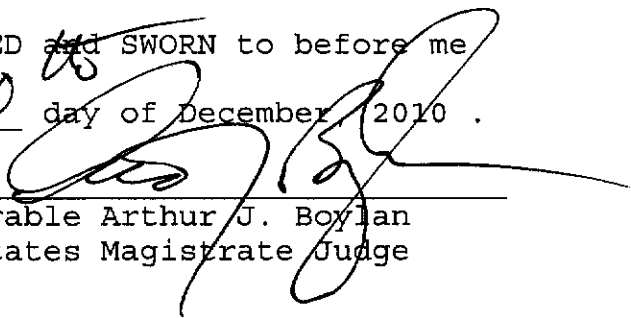
15. Vasquez was read his Miranda Warning and stated he understood and wanted to speak with law enforcement. Vasquez initially stated that he was told by Gonzalez that they were going to the store. Vasquez later admitted that he delivers ½ to 1 ounce quantities of methamphetamine for Gonzalez. Vasquez then stated he was aware of the other two vehicles with them and ran from the police because he assumed a drug deal was going on. Vasquez went on to say that Costa-Cruz receives narcotics from Gonzalez as well.

16. Coria-Perez was read his Miranda Warning and told law enforcement that he wished to speak with his lawyer. Then interview was then ended.

Further your Affiant sayeth not.


Sean Harris
Special Agent, DEA

SUBSCRIBED ~~and~~ SWORN to before me
this 10th day of December, 2010 .


The Honorable Arthur J. Boylan
United States Magistrate Judge